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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DE RONDE et al
FOR: TRANSFORMATION PROCESS
SERIAL NO. 09/807,391
FILING DATE: 04/12/01
371 ACCEPTANCE DATE: 06/24/01
EXAMINER: Georgia L. Helmer
ART UNIT: 1638
LAST OFFICE ACTION: 08/12/03
ATTORNEY DOCKET NO. 1930-A-PCT-US

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SEP 11 2003

REQUEST FOR CORRECTION OF ADVISORY ACTION**BY FACSIMILE**
703-308-4242

Assistant Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22231-1450

Dear Sir:

Applicant received an advisory action dated 08/12/03 with respect to the above matter. A copy of PTO-303 is enclosed herewith for the Examiner's convenience. Applicant respectfully submits that the Period for Reply in the advisory action has been incorrectly set. In the action, Section (a) was marked setting the period for reply as 3

months from the mailing date of the final rejection. The mailing date of the final rejection was 04/09/03. Applicant wishes to point out that the first reply to the Final Office Action was mailed within two months of the final rejection in that it was filed with the Office on 06/05/03. A copy of the Transmittal letter and of the Receipt acknowledgment postcard is submitted herewith. The Transmittal indicates that the amendment was filed on 06/05/03 and the postcard was stamped by the Office on 06/09/03. Applicant therefore respectfully submits that the Period for Reply to the Advisory Action should have been marked as (b) - namely, that the period for reply expires on the mailing date of the Advisory Action - i.e. on 08/12/03.

Applicant therefore respectfully requests that the Advisory Action be corrected and that the Period for Reply be indicated as expiring one month from the mailing date of the Advisory Action.

Respectfully submitted at Canton, Ohio this 11th day of September, 2003.

SAND & SEBOLT



By: Joseph A. Sebolt
Reg. No. 35,352

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Enclosures - 3
Docket No. 1930-A-PCT-US

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify this facsimile enclosing a Request for Correction of an Advisory Action with respect to the above patent application is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-308-4242) on September 11, 2003.



Fiona Ferguson

Advisory Action

09/807,391

DE RONDE ET AL.

Examiner

Art Unit

Georgia L. Helmer

1638

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 June 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

COPY

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
 2. ☒ The proposed amendment(s) will not be entered because:
 (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ they raise the issue of new matter (see Note below);
 (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
 4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
 7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
 9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
 10. ☐ Other: _____

Georgia L. Helmer

Phuong T. Bui
 PHUONG T. BUI 8/7/03
 PRIMARY EXAMINER

TRANSMITTAL LETTER

LOCKET NO.

(General - Patent Pending)

1930-A-PCT-US

In Re Application Of: DE RONDE et al

Serial No.

09/807,391

Filing Date

04/12/01

Examiner

Georgia L. Helmer

Group Art Unit

1638

Title: TRANSFORMATION PROCESS

COPY

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Amendment Transmittal

Amendment "B"

Certified Copy of South African Application no. 98/9427

Certificates of Mailing and Receipt Acknowledgment Postcard

COPY

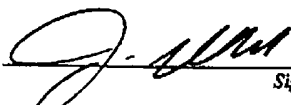
in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.

19-0083

- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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Signature

Dated: 06/05/03

Joseph A. Sebolt, Reg. No. 35,352
SAND & SEBOLT
Aegis Tower, Suite 1100
4940 Munson Street, NW
Canton, Ohio 44718-3615

I certify that this document and fee is being deposited on
06/05/03 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.

Signature of Person Mailing Correspondence

Fiona Ferguson

Typed or Printed Name of Person Mailing Correspondence

CC:

COPY

DT20 Rec'd PCT/PTO 09 JUN 2003

Inventor/Applicant: De Ronde et al. ✓
Title: Transformation Process
Attorney Docket No. 1420-A-PCT-US Initials FF

Pat. No.:
Ser. No. 09/807,391
Filed: 06/25/01
Date 06/05/03

☐ PATENT/DESIGN APPLICATION
 ___ UTIL ___ PRO ___ CONT. ___ CIP
 ___ DIV ___ PCT ___ RCE
 ___ Declaration/Power of Atty.
 ___ Pages Specification
 ___ Pages Claims
 ___ total ___ independent
 ___ Pages Abstract
 ___ Sheet(s) of drawing(s)
 ___ formal ___ informal
 ___ Preliminary Amendment
☐ APPLICATION DATA SHEET
☐ PCT REQUEST
☐ CHECK(S) in Amount \$ _____

☒ AMENDMENT (Due 7/9/03)
 ___ Ext. of Time for ___ Month(s)
☐ ISSUE FEE
☐ TRANSMITTAL
 ___ New Application ___ Amendment
 ___ Assignment ___ Issue Fee
 ___ Fees ___ General
☒ CERTIFICATE OF MAILING
☐ EXPRESS MAIL NO.
☒ OTHER
 Response to OA of 4/9/03
 certified copy of 2A 98/1427

RECEIPT IS HEREBY ACKNOWLEDGED

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